



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 9, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

Robert Raben 
Assistant Attorney General

SUBJECT:

Weekly Report for January 8, 2001 - January 12, 2001

THE WEEK AHEAD

Wen Ho Lee: Draft responses to questions for the record from Senator Leahy, in follow up of the September 26 and 27 hearings, are being prepared by the Criminal Division. A draft response to the Intelligence Committees and the Senate Judiciary Committee on conditions of confinement is being finalized in consultation with the Marshals Service. Responses to document requests for sealed records and deliberative materials have been deferred while activities related to open matters in the case continue; Committee staff have been informed of this. Senator Specter's staff have requested access to the underlying documents used to prepare the Bellows report. Declassification of the Bellows report remains pending at FBI. Further hearings, if any, will not occur until after January 20. (Walter)

THE WEEK IN REVIEW

Santo Daime Church: Representatives of the Criminal, Civil, Environment and Natural Resources and Civil Rights Divisions, OTJ, OPD, OLC, DEA, EOUSA Districts of New Mexico and Oregon, OLA, ONDCP, and the Departments of State, Treasury and Health and Human Services met on January 3, 2001, with Michael Greenberger, Principal Deputy Associate Attorney General, chairing the meeting, in a continuing effort to develop an appropriate response to claims raised by representatives of the Santo Daime Church that their use of a "tea" in religious ceremonies of the church is permissible under the Religious Freedom Restoration Act (RFRA) of 1993. The tea contains DMT, a schedule I controlled substance. RFRA continues to apply to federal government functions. We have received comments and inquiries on this issue from Senators Hatch, Kennedy and Smith, and from Representative DeFazio. Another meeting took place on January 5. (Tanner)

Senate Select Committee on Intelligence Briefing: On January 4, Department representatives briefed the staff of the Senate Select Committee on Intelligence on a recent decision by the U.S. District Court for the Southern District of New York. That matter involved a defendant in the East Africa bombing case now at trial; the court denied the defendant's motion to suppress

evidence obtained from a search and electronic surveillance of him by the U.S. government, including collection that the Attorney General authorized under section 2.5 of Executive Order 12333. (Walter)

Nominations: On January 3, 2001, the White House sent the following nominations to the Senate: James A. Wynn, Jr., to be United States Circuit Judge for the Fourth Circuit; Bonnie J. Campbell, to be United States Circuit Judge for the Eighth Circuit; James E. Duffy, Jr., to be United States Circuit Judge for the Ninth Circuit; Barry P. Goode, to be United States Circuit Judge for the Ninth Circuit; Roger L. Gregory, to be United States Circuit Judge for the Fourth Circuit; Kathleen McCree Lewis, to be United States Circuit Judge for the Sixth Circuit; Enrique Moreno, to be United States Circuit Judge for the Fifth Circuit; Sarah L. Wilson, to be a Judge of the United States Court of Federal Claims for a term of fifteen years; and Helene N. White, to be United States Circuit Judge for the Sixth Circuit.

On January 5, the White House sent the following nominations to the Senate: Timothy Earl Jones, Sr., to be a Commissioner of the United States Parole Commission; John R. Lacey, to be Chairman of the Foreign Claims Settlement Commission; and Laramie Faith McNamara, to be a Member of the Foreign Claims Settlement Commission. (Scott-Finan)